



## COLORADO

Division of Reclamation,  
Mining and Safety

Department of Natural Resources  
1313 Sherman Street, Room 215  
Denver, Colorado 80203

July 23, 2018

Charles Sulfrian  
Zymin Corporation  
2906 Marilyn Rd  
Colorado Springs, CO 80909

**RE: Notice of Filing Deficiencies, 110(2) Hardrock Application,  
Ten Percenter Claim (CMC254209), File No. M-2018-036**

Dear Mr. Sulfrian,

On July 9, 2018, the Division of Reclamation, Mining and Safety (Division) received the Zymin Corporation 110(2) Limited Impact Operation Reclamation Permit Application for the Ten Percent Claim (CMC254209), File No. M-2018-036. Pursuant to Rule 1.4.1(8), the Division has determined the application contains deficiencies which prevent the application from being considered filed. The following filing deficiencies must be addressed before the Division can consider the application as being filed and the technical adequacy review can begin. Please respond to this Notice of Deficiencies with the requested information and summarize each response to the numbered items below, in a cover letter titled "Response to Deficiencies, M-2018-036".

### **APPLICATION FORM**

1. Page 1 of the application form lists 4.275 permitted acreage while Exhibit A and several maps identify the proposed permitted acreage at 9.1 acres. Please clarify this discrepancy and revise the application accordingly.
2. Responsibility #10 on page six of the application form has been initialed. This is likely in error as the applicant appears to not be a joint venture/partnership business. Please submit a new page six without responsibility #10 initialed or submit the necessary power of attorney, provided by the partner(s), authorizing the signature of the representative.

### **GENERAL APPLICATION PROCEDURES:**

3. The copy of the on-site notice, required by Rule 1.6.2(1)(b), was not signed or dated. Please submit a copy of the notice posted at the site in accordance with Rule 1.6.2(1)(b) with a signed and dated certification of posting.

### **EXHIBIT I - Proof of Filing with County Clerk (Rule 6.3.9):**

4. Exhibit I includes a blank copy of an affidavit for the local County Clerk and Recorder to sign and date, demonstrating a copy of the application is placed for public review. In accordance with Rule 6.3.9, please submit an affidavit or receipt indicating the date on which the application was placed with the local County Clerk and Recorder for public review.



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5. Any changes or additions to the application on file with the Division, must also be reflected in the public review copy in accordance with Rule 1.6.2(2). Please submit proof that the public review copy has been updated with a copy of this letter and associated response.

**EXHIBIT J - Proof of Mailing of Notices to Board of County Commissioners and Soil Conservation District (Rule 6.3.10):**

6. Proof of noticing the local Board of County Commissioners and the local Soil Conservation District is not in accordance with Rule 6.3.10. The application includes a certified mail receipt, however, there was no certified mail return receipt (also known as the green card) verifying the Board of County Commissioners and the Soil Conservation District signed and received the notices. In accordance with Rule 1.6.2(1)(a)(ii), please submit Proof of Notice in the form of a certified mail return receipt or a date-stamped copy of the notice acknowledging receipt by the appropriate board.

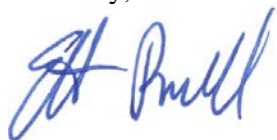
The Zymin Corporation 110(2) Limited Impact Operation Reclamation Permit Application will not be considered filed until the information listed above is received and found sufficient to begin our review. A decision date will be established 30 days from the date of receipt and acceptance of all of the requested information. Please note, if you have already published notice you will need to republish notice, but only after the Division considers the application filed; the Division will notify you when you should initiate publication of your notice. This notice must be published once within ten (10) days of the date your application is considered submitted. The final date for receiving comments is the 10th day after the publication or the next regular business day.

Pursuant to Rule 1.4.1(8), you have sixty (60) days from the date of this letter to submit all necessary documents that the Division needs for an application to be considered filed. If, at the end of the sixty day period, the application has not been determined to be filed with the Division, the Division may deny the application and terminate the application file. **The response to this Notice of Filing Deficiencies is due on or before September 21, 2018.**

This letter shall not be interpreted to mean that there are no other deficiency or adequacy requirements in your application. The Division will review your application to determine whether it is adequate to meet the requirements of the Act after submittal of all required items.

If you need additional information or have any questions, please contact me at Division of Reclamation, Mining and Safety, 1313 Sherman Street, Room 215, Denver, CO 80203, by telephone at **303-866-3567 x8132**, or by email at [elliott.russell@state.co.us](mailto:elliott.russell@state.co.us).

Sincerely,



Elliott R. Russell  
Environmental Protection Specialist

Cc: Michael Cunningham, DRMS